

## AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-5. (canceled)

6. (currently amended) A method of converging an ITU Recommendation G.729 Annex B compliant voice activity detection (VAD) device, comprising ~~the steps of:~~

determining a noise identification threshold value;

determining a voice identification threshold value;

comparing a number of energy measures of a signal to a minimum threshold value, said noise identification threshold value, and said voice identification threshold value;

determining a first set of running average background noise characteristics in accordance with Recommendation G.729B;

determining a second set of running average background noise characteristics;

counting the number of consecutive times G.729 B update conditions are not met and assigning the count to a first counter variable; ~~and~~

substituting said second set of running average background noise characteristics for said first set when a specific event occurs; and

counting the number of consecutive times said G.729 B VAD detects voice frames and assigning the count to a second counter variable,

wherein said specific event occurs when a predetermined value of said second counter variable is reached.

7. The method according to claim 6, wherein;

said specific event occurs when a predetermined value of said first counter variable is reached.

8. (canceled).

9. (currently amended) The method according to ~~claim 8~~ claim 6, wherein:

said specific event occurs when both a predetermined value of said first counter variable is reached and a predetermined value of said second counter variable is reached.

10. (Previously presented) A method of converging an ITU Recommendation G.729 Annex B compliant voice activity detection (VAD) device, comprising the steps of:

determining a noise identification threshold value;

determining a voice identification threshold value;

comparing a number of energy measures of a signal to said noise identification

threshold value and said voice identification threshold value;

determining a first value representing an average of said number of energy measures, when said energy measure is less than or equal to said noise identification threshold and greater than or equal to a minimum threshold value, wherein only the energy measures of said number of energy measures having values less than said noise identification threshold value and greater than said minimum threshold value are used to determine said first value;

determining a second value representing an average of said number of energy measures, when said energy measure is greater than said voice identification threshold, wherein only the energy measures of said number of energy measures having values greater than said noise identification threshold value are used to determine said second value; and

determining a first set of running average background noise characteristics in accordance with Recommendation G.729B;

determining a second set of running average background noise characteristics;

and

substituting said second set of running average background noise characteristics for said first set when a specific event occurs.

11. (previously presented) The method according to claim 10, wherein:

said noise and voice identification threshold values are based on said first and

second values.

12. (previously presented) The method according to claim 10, further comprising the steps of:

measuring the maximum block energy occurring during an updating period,  $T_p$ , and assigning said measured maximum block energy to  $E_{max}$ ; and

measuring a minimum block energy occurring during said updating period,  $T_p$ , and assigning said measured minimum block energy to  $E_{min}$ , wherein:

said noise and voice identification threshold values are based on said measured minimum and maximum block energies.

13. (previously presented) The method according to claim 12, wherein:

said noise and voice identification threshold values are further based on said first and second values.